IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

W.P. NO. 1081 (MS) OF 2004

Mahant Ram Singh Chela Mahant Narayan Singh. ....Petitioner.

Versus

District Judge, Haridwar and another. ....Respondents.

Sri I.P. Kohli, counsel for the petitioner.
Standing counsel for the respondent.

Hon'ble Rajesh Tandon, J.

Heard Sri V.K. Kohli assisted by Sri I.P. Kohli and standing counsel for the respondent.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondent no. 1 for expeditious disposal of the Revision No. 28 of 2002 Mahant Ram Singh Vs. Sudha Pharmacy.

Briefly stated, a suit was filed by the plaintiff/petitioner praying for the eviction of the defendant from the premises in dispute. Case of the petitioner is that the premises is not covered under Act No. 13 of 1972. The suit was decided in favour of the respondent vide order dated 29.07.2002 by the learned F.T.C.-4th Haridwar.

Aggrieved by the said order, the petitioner preferred a revision in the Court of District Judge, Haridwar, which was registered as Revision No. 28 of 2002, Mahant Ram Singh vs. Sudha Pharmacy, which is pending since then.

Counsel for the petitioner has submitted that the purpose of the suit is being frustrated on account of the unwarranted

delay since the suit was decided in 7 years and now the revision is pending since last two years.

In view of the aforesaid fact, the District Judge, Haridwar is directed to decide the same within a period of four months from the filing of the certified copy of the order.

Subject to the aforesaid observation, writ petition is disposed of.

(RAJESH TANDON, J.)

04.11.2004

P.S.R.